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*Attorneys for Barrick Goldstrike Mines Inc.*

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEVADA

BULLION MONARCH MINING INC.,  
Plaintiff,  
vs.  
BARRICK GOLDSTRIKE MINES INC.,  
Defendant.

Case No. 03:09-cv-612-ECR-VPC  
(Sub File of 3:08-cv-227-ECR-VPC)

**JOINT AND STIPULATED  
MOTION TO VACATE  
PROPOSED PRETRIAL ORDER  
DEADLINE**

Bullion Monarch Mining, Inc. (“Bullion”) and Barrick Goldstrike Mines Inc. (“Goldstrike”), by and through undersigned counsel, jointly move this Court for an order vacating the November 30, 2016, deadline for the submission of a proposed pretrial order. Although Bullion and Goldstrike seek the requested order for different reasons, they hereby stipulate and agree that the deadline for the proposed pretrial order should be vacated, and that the deadline for the proposed pretrial order should be reset after the currently pending motions have been decided, and based on this Court’s rulings on such pending motions.

This joint motion is based on the following stipulated facts:

1. On October 4, 2016, this Court entered a minute order setting November 30, 2016, as the deadline for the submission of a proposed pretrial order (the “Pretrial Order Deadline”);
2. On November 8, 2016, Goldstrike filed a Motion for Leave to File Motion for Summary Judgment Based on Finding of Ambiguity [Dkt. 229] (the “Motion for Leave”). Briefing on Goldstrike’s Motion for Leave will not be completed until at least Monday, December 5, 2016;
3. Goldstrike’s Motion for Leave included a request to stay the Pretrial Order Deadline. *See* Motion for Leave [Dkt. 229] at 3;

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2           4.       On November 17, 2016, Bullion filed a Motion to Compel Discovery [Dkt. 230]  
3 (the “Motion to Compel”). Bullion’s Motion to Compel will not be fully briefed until at least  
4 December 19, 2016.

5           5.       Bullion’s Motion to Compel included a request to extend the Pretrial Order  
6 Deadline. *See* Motion to Compel [Dkt. 230] at 9;

7           6.       Although both parties seek a stay or extension of the Pretrial Order Deadline is for  
8 different reasons, the parties nonetheless stipulate and agree that the Pretrial Order Deadline  
9 should be vacated, and that the Pretrial Order Deadline should be reset only after the currently  
10 pending motions have been decided, in a manner consistent with this Court’s ruling on such  
11 motions.

1 Dated: November 29, 2016

LEWIS ROCA ROTHGERBER CHRISTIE LLP

2  
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4 (Signed with permission by filing counse;  
5 email granting permission on file)

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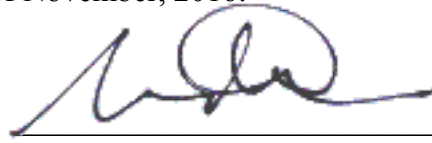
*Attorneys for Barrick Goldstrike Mines Inc.*

**ORDER**

Based on the foregoing, and for good cause shown, it is hereby ordered as follows:

1. The November 30, 2016, deadline for the submission of a proposed pretrial order shall be and hereby is VACATED. The deadline for the submission of a proposed pretrial order shall be reset after the currently pending motions have been decided by this Court.

IT IS SO ORDERED, this 30<sup>th</sup> day of November, 2016:



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